

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TANYA JOANN WALKER,)	CASE NO. 1:12CV1284
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	MEMORANDUM OPINION
)	
MICHAEL J. ASTRUE, Commissioner,)	
)	
DEFENDANT.)	

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action, recommending that the final decision of the Commissioner denying plaintiff's claim for a Period of Disability and Disability Insurance Benefits under Title II of the Social Security Act, 42 U.S.C. §§ 416(i), 423, *et seq.* be affirmed. (Doc. No. 13.) Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. [. . .]

28 U.S.C. § 636(b)(1)(C).

The R&R was filed on January 18, 2013. Under Fed.R.Civ.P. 6(d), an additional three days are added when computing service. Therefore, objections were not due until February 4, 2013.

No objections have been filed. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S.

140 (1985), *reh'g denied*, 474 U.S. 1111 (1986); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and accepts the same. Accordingly, the Court concludes that the Commissioner's decision to deny plaintiff's claim for a Period of Disability and Disability Insurance Benefits was supported by substantial evidence and must be **AFFIRMED**.

IT IS SO ORDERED.

Dated: February 14, 2013



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE